

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

IN RE:)	BANKRUPTCY CASE
)	
BOYD SHANE COLLIE)	NO. 04-43621
)	
Debtor)	
)	

)	
WELLS FARGO BANK, N.A.,)	
SUCCESSOR BY MERGER TO WELLS)	
FARGO HOME MORTGAGE, INC.)	
)	CHAPTER 7
Movant)	
)	
vs.)	
)	JUDGE: PAUL W. BONAPFEL
BOYD SHANE COLLIE)	
L. LOU ALLEN, Trustee)	
)	
Respondents)	

ENTERED ON DOCKET
11-17-04

ORDER GRANTING MOTION FOR RELIEF FROM STAY

The above styled Motion having been called before the Court for a hearing on November 17, 2004, upon Notice of Assignment of Hearing to each of the above-captioned parties in interest, and it appearing that there was no opposition to the Motion and that the parties were properly served;

IT IS HEREBY ORDERED AND ADJUDGED that the 11 U.S.C. §362(a) automatic stay is lifted as to Movant herein, its successors and assigns, regarding the real property commonly known as 5676 Rutland Drive, Powder Springs, Georgia.

FURTHER ORDERED that Movant, its successors and assigns, may proceed to assert its rights, including, but not limited to, the institution and completion of foreclosure proceedings, reasonable fees and to assert any and all of its respective rights and remedies under applicable law, as to its collateral.

FURTHER ORDERED that upon the completion of any foreclosure sale, any funds in excess of the payoff due to Movant under its Note and Security Deed shall be paid to the Trustee for the benefit of the Estate.

SO ORDERED this 17 day of November, 2004.



PAUL W. BONAPFEL
UNITED STATES BANKRUPTCY JUDGE

PREPARED AND PRESENTED BY:

Alice A. Blanco, by
[Signature] #485749
Alice A. Blanco, Bar No. 062160
Attorney for Movant
McCalla, Raymer, Padrick, Cobb, Nichols & Clark
1544 Old Alabama Road
Roswell, Georgia 30076-2102
(770) 643-2148
(800) 275-7171

Enterprise Systems Incorporated
11487 Sunset Hills Road
Reston, Virginia 20190-5234

CERTIFICATE OF SERVICE

District/off: 113E-6
Case: 04-43621

User: chambersk
Form ID: pdf401

Page 1 of 1
Total Served: 6

Date Rcvd: Nov 17, 2004

The following entities were served by first class mail on Nov 19, 2004.

db +Boyd Shane Collie, 323 Wayburn Walk, Dallas, GA 30132-8351
aty +Alice Allen Blanco, McCalla Raymer, et al, 1544 Old Alabama Road, Roswell, GA 30076-2102
aty +Brian R. Cahn, Perrotta Cahn and Prieto, 102 N Bartow, Cartersville, GA 30120-3106
aty +Brian R. Cahn, Perrotta & Associates, P.C., 102 North Bartow Street,
Cartersville, GA 30120-3106
tr +L. Lou Allen, Eells & Allen LLC, Suite 181, The Oglethorpe Building, 2971 Flowers Road South,
Atlanta, GA 30341-5406
ust +Office of the US Trustee, Suite 362, 75 Spring Street, SW, Atlanta, GA 30303-3330

The following entities were served by electronic transmission.

NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Service and that it is true and correct to the best of my information and belief.

First Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 19, 2004

Signature:

